

DEC 30 2008

Date: December 30, 2008	No. Pages (incl. cover): 3
To: Examiner Brian E. Pellegrino	From: Michael J. Urbano Intellectual Property Attorney
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Phone No: 571-272-4756	Phone No.: 610-691-7710 Fax No: 610-691-8434
Fax No: 571-273-8300	Subject: Application SN 10/798,064 Arney 10-18-4

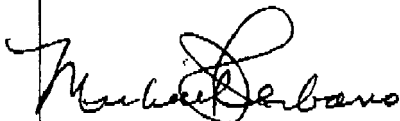
NOTICE OF APPEAL

Dear Mr. Pellegrino:

In response to the Final Office action of October 15, 2008, in the above-captioned patent application, Applicants herewith submit a Notice of Appeal.

If you have any questions, please do not hesitate to call.

Respectfully,



Michael J. Urbano
Attorney for Applicant(s)
Reg. No. 24,522

Cc: J. F. McCabe, Esq.

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**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

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Patent Application

Inventors(s): Susanne Arney **Case:** 10-18-4
 Timofei Nikita Kroupenkine
 Donald Weiss

Serial No.: 10/798,064 **Filing Date:** March 11, 2004

Examiner: Brian E. Pellegrino **Group Art Unit:** 3738

Title: Drug Delivery Stent

**THE COMMISSIONER OF PATENTS AND TRADEMARKS
ALEXANDRIA, VA 22313-1450**

SIR:

NOTICE OF APPEAL

Applicants hereby appeal to the **Board of Patent Appeals and Interferences** from the decision of the Examiner dated October 15, 2008 rejecting claims 1-21.

Please charge the amount of **\$540.00**, covering the Notice of Appeal Fee [37 CFR §1.17(b) and §41.20(b)(1)], to my **VISA** (Form 2038 attached).

In the event of any non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit my **VISA** as required to correct the error.

Please address all correspondence to me at 1445 Princeton Drive, Bethlehem, PA 18017-9166.

Respectfully,



Michael J. Urbano
Attorney for Applicants
Reg. No. 24,522

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Date: 12/30/08